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PATENT

ATTORNEY DOCKET NO. 041465-5127

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hiroki KURIBAYASHI *et al.*)

Confirmation No.: 9135

Application No.: 09/988,714)

Group Art Unit: 2131

Filed: November 20, 2001)

Examiner: *To Be Assigned*

For: DATA RECORDING METHOD, DATA)
RECORDING APPARATUS, DATA)
REPRODUCTION METHOD AND DATA)
REPRODUCTION APPARATUS)

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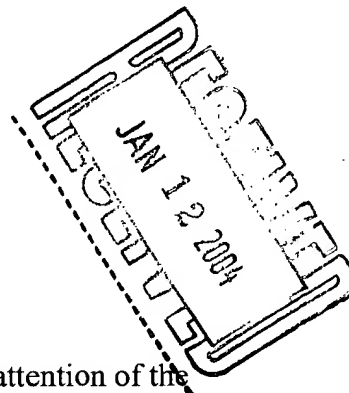
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Sir:

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)



Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced Application.

A European Search Report dated November 4, 2003 is attached together with the documents listed thereon. Applicants respectfully request that the Examiner consider the European Search Report and listed documents and evidence that consideration by making appropriate notations on the attached PTO Form-1449.

As for relevance for any non-English language documents, an English-language Abstract is provided, or such documents are referred to on the European Search Report.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If it should be determined that the listed documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this Application, including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required and including any required extension of time fees, *or* credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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Date: January 7, 2003

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